

ORIGINAL

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAJASON BENSON,
Plaintiff

v.

THOMAS DURAN, et al.,
Defendants: CIVIL ACTION
: NO. 1:CV-00-1229
:
: (Judge Caldwell)
: (Magistrate Judge Blewitt)✓
:
: (JURY TRIAL DEMANDED)FILED
HARRISBURG

MAR 04 2002

PLAINTIFF'S MOTION FOR AN ORDER
COMPELLING THE STAFF AT
THE STATE CORRECTIONAL INSTITUTION AT
SMITHFIELD TO ALLOW PLAINTIFF
TO MAIL HIS LEGAL MAIL DESPITE HAVING NO FUNDS
MARY E. D'ANDREA, CLERK
DEPUTY CLERK

The plaintiff Jason Benson, respectfully moves this Court for an order compelling the staff at SCI-Smithfield, to allow the plaintiff to send legal mail to the court and the parties involved in this civil matter. For example, Magistrate Blewitt, on February 12, 2002, denied plaintiff's Request to Add Supplemental Complaint; plaintiff understood that he had ten (10) in which he could appeal to this court and did so.

However, the staff members at this institution have stated that they do not care about plaintiff's legal matters and because he has no money on his account, he will not be permitted to photocopy any legal documents or send any legal mail unless he get's some money on his account. This situation has been brought to the attention of Magistrate Blewitt, but to no avail. As it stands now, plaintiff has to have another inmate mail his pleadings to his mother who, in turn mails it to this Court.

This pleading might make it out of this institution because it weights less than one ounce. Nonetheless, plaintiff is having the relevant documents sent to his mother and then to Your Honor. The